



David B. Cohen

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Continuation of Public Hearing: September 13, 2005
Land Use Action Date: October 18, 2005
Board of Aldermen Action Date: November 21, 2005
90-Day Expiration Date: December 12, 2005

TO: Board of Aldermen

FROM: Michael Kruse, Director of Planning and Development
Nancy Radzevich, Chief Planner
Jean Fulkerson, Principal Planner

DATE: September 9, 2005

SUBJECT: **Supplemental Memo**
Petition #220-05 of McDONALD'S CORPORATION for a SPECIAL PERMIT and an EXTENSION OF A NON-CONFORMING USE to demolish an existing 3,025 sf building containing a fast food restaurant and replace it with a new 3,716 sf building, including new signage and a waiver from light requirements, at 197 CALIFORNIA STREET, Ward 1, NONANTUM on land known as Sec 11, Blk 4, Lot 6, containing approximately 40,073 sf of land in a district zoned MANUFACTURING.

CC: Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information that will be presented at or after the public hearing that the Land Use Committee will consider in its discussion at a subsequent Working Session.

EXECUTIVE SUMMARY

This is a supplement to the Planning Department Memo dated July 8, 2005 on Petition #220-05. As previously noted, the petitioner is proposing to demolish the existing 3,025 s.f. McDonald's restaurant at 197 California Street and replace it with a new 3,716 s.f. restaurant. The original restaurant was constructed in 1970 and is a legal non-conforming use. The new McDonald's restaurant will be located closer to California Street, and the site will be improved with additional landscaping,

pedestrian crossings, and a reconfigured drive-through area. The petition also includes a new sign program with multiple freestanding and directional signs.

The public hearing on this project was opened on July 12, 2005. That night, the Land Use Committee voted to continue the hearing until its next meeting on September 13, 2005, to allow the City Traffic Engineer to complete his review of the petitioner's traffic study.

Since the public hearing on July 12, 2005 the petitioner has provided supplemental materials for the City Traffic Engineer, and made changes to its plans as recommended by the Planning Department.

➤ Parking and Circulation

The petitioner submitted plans dated August 25, 2005 showing the removal of the recirculation driveway near the front of the site as previously proposed by the petitioner. The recirculation lane was replaced by additional landscaping and a single parking stall dedicated for the use of customers of the drive-through who may have to wait for an order.

The City's Transportation Planner and City Traffic Engineer reviewed this change and did not express any concerns with the new circulation system. A memo dated July 28, 2005, from Clint Schuckel, City Traffic Engineer, is attached, which states that the petitioner has adequately his issues. He included two minor comments in his memo. (*See ATTACHMENT "A"*).

➤ Site Plan

The petitioner will reconstruct the existing retaining wall in the vicinity of the Dumpster. This change is in response to a request by an abutter.

➤ Elevations and Materials

The elevations and materials have been revised based on comments from the Planning Department. The petitioner agreed to use materials that will show a relationship to the former industrial buildings adjacent to the subject site. As result, the front façade of the McDonald's restaurant is now proposed as brick, with stone lintels, and with fenestration similar to what exists at 217 California Street. ***The architectural plans on sheet A2A note that the project manager will select the color of the materials. The Planning Department would like the brick to reasonably match the color of the brick at 217 California Street, and to be of uniform color, rather than variegated.***

➤ Trash and Recycling

In response to a request by the Planning Department, the petitioner will provide a larger trash enclosure to include room for a recyclables dumpster.

➤ Lighting

In response to a request by the Planning Department, the petitioner revised the lighting plan to reduce light spillover into California Street. This was accomplished through the addition of light shields on the light poles adjacent to California Street. The spillover onto the

sidewalk was reduced to 0.5 or lower, and the spillover onto the street was reduced to 0.2 or lower.

➤ Engineering and Fire

The Fire Department and the Engineering Division of Public Works received copies of the petitioner's updated plans. In addition, the petitioner submitted a letter dated August 25, 2005, addressed to John Daghlion, Associate City Engineer, to respond to concerns of the Engineering Division. Memos from both the Fire and Engineering Departments are attached (*See ATTACHMENTS "B" AND "C"*). Neither memo states any objection to the requested special permit and extension of a non-conforming use.

The Planning Department is satisfied with the materials submitted by the petitioner in advance of the September 13, 2005 public hearing. The petitioner responded to all concerns and made changes based on the recommendations of the Land Use Committee and the Planning Department. ***The Planning Department asks the Board to consider requiring the petitioner to submit a brick sample for approval by the Director of Planning and Development prior to the issuance of a building permit.***

ATTACHMENTS

ATTACHMENT A: Memo from Clint Schuckel to Nancy Radzevich, dated July 28, 2005

ATTACHMENT B: Memo from John Daghlion to Ald. Mansfield, dated September 7, 2005

ATTACHMENT C: Memo from Bruce Proia to Jean Fulkerson, dated September 6, 2005